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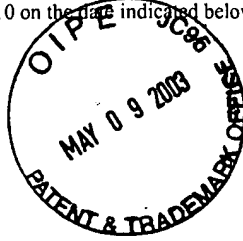
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Alexandria, VA 22313-1450

On 5-9-03

TOWNSEND and TOWNSEND and CREW LLP

By: Karen Karlin

PATENT  
Attorney Docket No.: 014058-009810US  
Client Reference No.: CX-98-0028



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHEEVER et al.

Application No.: 09/493,480

Filed: January 28, 2000

For: HER-2/NEU FUSION PROTEINS

Group Director: 1642

Examiner: J. Hunt

Art Unit: 1642

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
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Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

05/13/2003 MBLAMCO 00000030 201430 09493460

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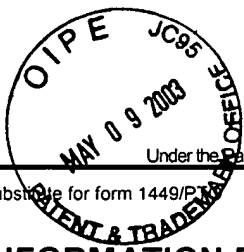
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Respectfully submitted,

  
Kevin L. Bastian  
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

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Application Number 09/493,480  
Filing Date January 28, 2000  
First Named Inventor Cheever, Martin A., et. al.  
Art Unit 1642  
Examiner Name J. Hunt  
Attorney Docket Number 014058-009810US

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### U.S. PATENT DOCUMENTS

Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-6,015,567	01-18-2000	Hudziak et al.	
	AB	US-6,333,169 B1	12-25-2001	Hudziak et al.	
	AC	US-App. 2002/0155527 A1	10-24-2002	Stuart et al.	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AD	WO	90/14357	A1	11-29-1990			<input type="checkbox"/>
	AE	WO	91/02062	A2	02-21-1991			<input type="checkbox"/>
	AF	WO	96/18409	A1	06-20-1996			<input type="checkbox"/>
	AG	EP	0474727	B1	07-23-1997			<input type="checkbox"/>
	AH	WO	99/46988	A1	09-23-1999			<input type="checkbox"/>
	AI	WO	00/44899	A1	08-03-2000			<input type="checkbox"/>
	AJ	WO	01/74855	A2	10-11-2001			<input type="checkbox"/>
	AK	EP	0444181	B1	10-31-2001			<input type="checkbox"/>

### NON-PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AL	Disis et al., "Peptide-Based, but Not Whole Protein, Vaccines Elicit Immunity to HER-2/neu, an Oncogenic Self-Protein", <i>Journal of Immunology</i> , XP-002139506: 3150-3158 (1996).	

Examiner  
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

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